

1 THE HONORABLE JOHN C. COUGHENOUR

2
3
4
5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 STEPHEN E. WHITTED,

CASE NO. C18-0642-JCC

10 Plaintiff,

MINUTE ORDER

11 v.

12 PETER WINFIELD JORDAN, *et al.*,

13 Defendants.
14

15 The following Minute Order is made by direction of the Court, the Honorable John C.
16 Coughenour, United States District Judge:

17 This matter comes before the Court *sua sponte*. “[T]he domestic relations exception . . .
18 divests the federal courts of power to issue divorce, alimony and child custody decrees.”
19 *Ankenbrandt v. Richards*, 504 U.S. 689, 703 (1992). “In addition, federal courts can decline to
20 hear a case involving ‘elements of the domestic relationship,’ . . . even when divorce, alimony, or
21 child custody is not strictly at issue.” *Dellelo v. Hoover*, Case No. C10-1071-MJP, Dkt. No. 15 at
22 3 (W.D. Wash. 2011) (quoting *Ankenbrandt*, 504 U.S. at 705). Thus, unless a case involves “a
23 substantial question that transcends or exists apart from the family law issue[,] . . . it is
24 appropriate for the federal courts to leave delicate issues of domestic relations to the state
25 courts.” *Id.* (citing *Palmore v. Sidoti*, 466 U.S. 429, 432–34 (1984); *Elk Grove Unified Sch. Dist.*
26 *v. Newdow*, 542 U.S. 1, 13 (2004)).

1 Under the Rooker-Feldman doctrine, federal district courts lack jurisdiction to review
2 final decisions of state courts or “federal claims that would ask district courts to pass judgment
3 on state court findings.” *Id.* at 3–4 (citing *Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 415 (1923);
4 *D.C. Ct. of App. v. Feldman*, 460 U.S. 462, 483–46 (1983)).

5 The parties are hereby ORDERED to show cause as to why the Court has jurisdiction
6 over Plaintiff’s claims, with emphasis on the claims of intentional interference with the parent
7 child custodial relationship and civil conspiracy to commit the same (*see* Dkt. No. 1 at 13–15), in
8 accordance with the domestic relations exception and Rooker-Feldman doctrine. The parties
9 shall each submit briefing not to exceed eight pages no later than Friday, May 3, 2019.

10 DATED this 23rd day of April 2019.

11 William M. McCool
12 Clerk of Court

13 s/Tomas Hernandez
14 Deputy Clerk